1 HON. BARBARA J. ROTHSTEIN 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 8 9 HTP, INC., a Washington corporation, Case No. 2:21-cv-00732-BJR 10 Plaintiff. STIPULATION ACCEPTING 11 SERVICE OF PROCESS FOR v. **EVAN JOHNSON AND SETTING** 12 FIRST MERIT GROUP HOLDING, INC., RESPONSE TO AMENDED **COMPLAINT FOR ALL** et al., 13 **DEFENDANTS AND ORDER** Defendants. 14 15 I. **STIPULATION** 16 Whereas, plaintiff HTP, Inc. ("HTP") and defendants First Merit Holdings Inc., Nanogen 17 Technologies Group, Inc., Barry Lee, Anthony Dutton, and David Richardson ("Original 18 19 Defendants") stipulated to HTP filing a First Amended Complaint (ECF No. 119), the Court 20 entered the stipulation as an order (ECF No. 120), and HTP filed the First Amended Complaint 21 (ECF No. 122), and 22 Whereas, counsel for the Original Defendants has agreed to accept service of process for 23 Evan Johnson (with the Original Defendants, "Defendants"), and 24 Whereas, the Defendants and HTP agree that the Defendants may have until November 25 13, 2023, to answer or otherwise respond to the First Amended Complaint. 26 STIPULATION AND ORDER - 1 CASE NO. 2:21-cv-00732-BJR 507117775.1 K&L GATES LLP 925 FOURTH AVENUE, SUITE 2900

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1 Now, therefore, the Parties stipulate: 2 1. The undersigned counsel for Defendants accepts service of process for Evan 3 4 Johnson, and 5 2. Defendants may have until November 13, 2023, to answer or otherwise respond to 6 the First Amended Complaint. 7 II. **ORDER** 8 Pursuant to stipulation, it is so ordered. 9 DATED this 12th day of October, 2023. 10 11 12 13 Barbara Jacobs Rothstein U.S. District Court Judge 14 15 Presented on this 11th day of October, 2023, by: 16 17 K&L GATES LLP 18 By *s/Peter A. Talevich* Philip M. Guess, WSBA # 26765 19 Peter A. Talevich, WSBA # 42644 20 925 Fourth Ave., Suite 2900 Seattle, WA 98104-1158 21 Phone: (206) 623-7580 Fax: (206) 623-7022 Email: philip.guess@klgates.com 22 peter.talevich@klgates.com 23 LASHER HOLZAPFEL SPERRY & EBERSON PLLC 24 By s/Julie M. Pendleton Sean V. Small, WSBA # 37018 25 Julie M. Pendleton, WSBA #52882 26 601 Union Street, Suite 2600 STIPULATION AND ORDER - 2 CASE NO. 2:21-cv-00732-BJR 507117775.1

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